REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action of September 25, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. As a result of this Amendment, claims 1 and 13 have been amended for clarification purposes. Claims 1-26 remain in the Application. No new matter has been introduced and this Amendment should not require any additional search since the subject matter and scope claimed as amended has been previously presented.

On page 2, paragraph 1 of the Office Action, Claims 1-5, 8-12, 20-22, and 26 were rejected under U.S.C. § 103(a) as being unpatentable by U.S. Patent Application Publication No. 2007/0118833 by Hilt (hereinafter "Hilt") in view of U.S. Patent Application No. 2004/0049389 to Marko et al (hereinafter "Marko") and further in view of U.S. Patent No. 6,553,077 to Rindsberg (hereinafter "Rindsberg").

In paragraph 2, page 5, claim 6 was rejected under U.S.C. § 103(b) as being unpatentable over Hilt, Marko and Rindsberg and further in view of U.S. Patent No. 7194687 to Sezan (hereinafter "Sezan").

In paragraph 3, page 6, claim 7 was rejected under U.S.C. § 103(b) as being unpatentable over Hilt, Marko and Rindsberg and further in view of U.S. Patent Application Publication No. 2004/0196179 to Turnbull.

In paragraph 4, page 6, claims 13-15 were rejected under U.S.C. § 103(b) as being unpatentable over Hilt in view of Marko.

In paragraph 5, page 8, claims 16-18, 23 and 25 were rejected under U.S.C. § 103(b) as being unpatentable over Marko in view of Rindsberg.

In paragraph 6, page 9, claims 17and 14 were rejected under U.S.C. § 103(b) as being unpatentable over Marko in view of Rindsberg and further in view of Sezan.

Hilt is directed towards a scheme that enables an XM Radio and a browser associated with the radio to avoid a firewall in order to communicate with a remote server. Hilt does not teach or suggest a computer coupled to a display having a GUI where data associated with a plurality of channels including channel numbers, artist names, song titles, channel names are simultaneous updated and displayed on the GUI

of the display of the computer. Hilt does not discuss a GUI that updates and presents this particular data.

Marko does discuss channel numbers, artist names and other related data, but in the context of a text-to-speech device. Although Marko discusses the existence of such data being received by the XM radio or Satellite Digital Audio Radio, Marko fails to teach or suggest that such data is coupled to a computer having a display and a GUI where the GUI simultaneously updates and displays the channels and the associated data. Instead, Marko discusses a device in paragraph 26 where "a first portion of real time digital audio channels contains associated data intended for text display on a receiving device and optionally at least a second portion of the plurality of digital audio channels contains associated data intended for real-time play back by a text-to-speech converter in the receiving device." This is not teaching the multiple channels are being updated and displayed simultaneously as claimed.

Rindsberg is generally directed to a "favorites" feature for selection of music in a satellite radio system for example. Although Rindsberg discusses a channel reference table, this table is not updated and displayed on a GUI as claimed. The channel reference table in column 3, line 45 or in column 4 lines 49-50 is not a GUI. FIG. 6 in Rindsberg illustrates the Channel Reference Table. Again, the Channel Reference Table is not a GUI that is displayed.

Even if one were to combine the Hilt, Marko, and Rindsberg, the combination would still fail to teach or obviate the claimed embodiments as recited in Claims 1-5, 8-12, 20-22, and 26 since the combination would fail to include a single audio digital receiver coupled to a computer having a GUI where the GUI is updated and displayed with certain recited data. The data updated and displayed is not associated with a single channel, but rather associated with a plurality of channels and includes a plurality of channel numbers, a plurality of artist names, a plurality of song names, etc. that are updated and displayed simultaneously on the GUI. Being able to update and display the data simultaneously (or in rapid recurring succession as recited in claims 20 and 26) for all such channels is not a trivial improvement over the cited art, but a significant improvement. Therefore, Applicant respectfully believes claims are novel and non-

obvious over the cited art and overcome the rejection under U.S.C. § 103(a) as being unpatentable over Hilt, Marko and Rindsberg.

Claim 6 was rejected under U.S.C. § 103(b) as being unpatentable over Hilt, Marko and Rindsberg and further in view of Sezan. The Examiner also discusses Ellis, a previously cited reference. As noted in a prior response, Ellis is directed more towards a multi-receiver system (such as a multi-FM receiver system or a system that includes an FM receiver and a satellite receiver among a number of receivers). Ellis fails to discuss a single radio system that receives a single data stream where multiple channels are decoded therefrom. Furthermore, it would appear to be an improper use of hindsight for the examiner to cite a reference originally cited by the Applicant in an attempt to try to obviate a novel and non-obvious invention. The Applicant's system can further reduce costs by removing the need for multiple receivers as called for in Ellis.

With respect to previously claim 6 as well as claim 17, none of the references individually or in combination teach or even suggest, mention or contemplate a GUI that enables the simultaneous viewing of channels numbers, artist names, song titles, channel names, categories and use percentage of the channels among the plurality of channels. Sezan discusses the usage history, but only in terms of percentage of a video program played by a user. Sezan does not keep track of particular channels among a plurality of channels that a user is listening to. Use percentage in the context claimed is clearly not shown in any of the references cited and the additional combination of information is clearly novel and non-obvious.

It should further be noted (with respect to claim 11) that the data streamed to the receiver as claimed herein and ultimately viewed on the user interface as claimed does not come from the Internet as shown in FIG. 3C of Ellis, but from over-the-air. The connection to a global network connection is just a connection that can be used in conjunction with novel and non-obvious aspects recited in claim 1.

Claim 7 was rejected under U.S.C. § 103(a) as being unpatentable by Hilt, Marko in view Rindsberg and further in view of Turnbull. As noted above with respect to claims 6 (and 17), none of the references alone or in combination teach or suggest, mention, or contemplate a system that has a GUI that displays information associated with a

plurality of channels that comes from a single receiver that extracts data associated from each channel from a single data stream and that simultaneously updates and displays the particular associated data affiliated with a digital audio radio such as the signal strength information as recited in claims 7 and 19. Claims 7 and 19 also refer to both signal strength from a satellite and terrestrial source and displaying same. The inappropriate use of hindsight with respect to Rindsberg and the noted potential issue of common assignment or ownership of Rindsberg is likewise reiterated.

Claims 13-15 were rejected under U.S.C. § 103(b) as being unpatentable over Hilt in view of Marko. As noted above, Hilt and Marko fail to teach, suggest, mention or contemplate a plurality of channels that includes a plurality of channel numbers, a plurality of artist names, a plurality of song names, etc. that are updated and displayed simultaneously on a GUI in the context recited in claims 13-15.

With respect to claims 16, 18, 23, 25 as well as 17 and 24, the arguments discussed above equally apply. Although the Ellis or even the Hilt, Marko, Rindsberg or Sezan reference includes some of the elements claimed in Claims 1-6, 8-12, 16-18, and 20-26, each of these cited references still fails to teach, suggest, mention or contemplate a computer based multi-channel radio where a single radio receiver is used to receive a data stream when multiple channels are decoded from the data stream so that a plurality of channels is updated and displayed simultaneously. Instead, Ellis teaches a multi-receiver system that can decode one channel per receiver, thus any system as taught by Ellis would necessarily include multiple receivers for receiving multiple sources of content. Ellis illustrates multiple channels that are decoded using multiple receivers or tuners or coming from different multiple sources as shown in FIGS. 27 and 42 and the corresponding text. In fact, the mention of satellite radio in Ellis is only in reference as a source receiver among a plurality of other source receivers and Ellis fails to discuss the decoding of multiple channels from a single data stream as claimed. Ellis instead teaches away from using a single receiver by stating that receivers or tuners are less costly than TV tuners and would be feasible to have multiple receivers (see Paragraph 0010 of Ellis). Furthermore, Ellis states that multiple radio receivers may be provided for a single radio source (See paragraph 0100 of Ellis).

Thus, only a piecemeal combination of references is being used in an attempt to obviate the claims as currently recited since the claims are directed toward methods and systems using a digital audio radio where the specific data that can be simultaneously updated and displayed and is done in a unique context using a single radio receiver and a GUI. Rindsberg and Marko certainly provides some of the groundwork for the current application, but fails to introduce a computer coupled to the digital audio radio and the particular GUI and the simultaneous display of data as claimed. As noted above, Ellis is directed more towards a multi-receiver system and would appear to teach away from the use of a single receiver as claimed herein. As noted above, Hilt is directed towards a scheme that enables an XM Radio and a browser associated with the radio to avoid a firewall in order to communicate with a remote server and does not teach or suggest a computer coupled to a display having a GUI where data associated with a plurality of channels including channel numbers, artist names, song titles, channel names are simultaneous updated and displayed on the GUI of the display of the computer.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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